



H-987

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

A. NISHIMURA et al

Serial No. 09/869,274

Group Art Unit: 2823

Filed: June 26, 2001

Examiner: W. Coleman

For: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE HAVING BUMP  
ELECTRODES FOR SIGNAL OR POWER ONLY, AND TESTING PADS  
THAT ARE NOT COUPLED TO BUMP ELECTRODES (As Amended)

**REQUEST FOR WITHDRAWAL OF FINALITY OF OFFICE ACTION**  
**AND RESET OF STATUTORY PERIOD FOR RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 13, 2003

Sir:

The Applicants have received a Final Rejection, mailed June 4, 2003, for this application. The Applicants request withdrawal of the finality for the following reason.

In the prior, non-final Office Action dated December 23, 2002 (paper no. 7), claim 23 (among others) was rejected under 35 U.S.C. § 102 as being anticipated by Yoshida U.S. Patent No. 6,445,001. Concerning claim 23, the Office Action stated that Yoshida discloses a conductive layer that is electrically isolated from any bump. In reply, the Applicants pointed out that Yoshida, in fact, does not teach this feature (Reply dated March 24, 2003).

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In the instant final Office Action, claim 23 is newly rejected under 35 U.S.C. § 102 as being anticipated by Strauss U.S. Patent No. 5,719,449. Strauss is said to show a conductive layer that is electrically isolated from any bump. There is no rejection over Yoshida, taken individually or in combination with any other reference. Accordingly, the rejection of claim 23 has been changed to a different ground.

Ordinarily, a rejection on a new ground can be made final if the rejected claim has been amended so as to require the new ground for rejection. However, claim 23 was amended only to broaden its scope (specifically, to change "wirings", "bumps", and "pads" to --wiring--, --bump--, and --pad-- respectively). Significantly, the language concerning the conductive layer being electrically isolated from any bump was not amended at all. Accordingly, the switch in references underlying the rejection was not necessitated by any amendment to the claim.

In view of the foregoing facts, the Applicants submit that the rejection should not have been made final, and request withdrawal of the finality of the Office Action. The Applicants also request a reset of the statutory period for response to coincide with the mailing date of the reply to this Request, inasmuch as the Applicants' decision as to how

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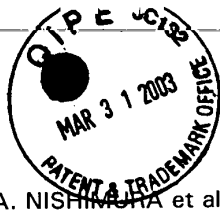
to respond to the Office Action depends on whether the Office  
Action is final.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel J. Stanger". The signature is fluid and cursive, with the first name "Daniel" and last name "Stanger" clearly distinguishable.

Daniel J. Stanger  
Registration No. 32,846  
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR, P.C.  
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Date: June 13, 2003



PATENT

Case Docket No. H-987

In RE application of A. NISHIMURA et al

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NOT COUPLED TO BUMP ELECTRODES (As Amended)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)			(COL. 2)		(COL. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Additional Fee		Rate	Additional Fee
Total	* 15	Minus	** 28	=	0	x 9	\$		x 18	\$ 0
Indep.	* 8	Minus	*** 13	=	0	x 42	\$		x 84	\$ 0
<input type="checkbox"/> First Presentation of Multiple Dependent Claims						+ 140	\$		+ 280	\$ 0
						Total	\$		Total	\$ 0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write '0' in Col. 3.  
 \*\* If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 20, write '20' in this space.  
 \*\*\* If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 3, write '3' in this space.  
 The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

- ☐ Please charge my Deposit Account No. 50-1417 in the amount of \$ \_\_\_\_\_.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached in payment of: \_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C.  
1800 Diagonal Rd., Suite 370  
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Date: March 24, 2003

By:

Daniel J. Stanger

Registration No. 32,848

Attorney for Applicant(s)

GP 2823

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to:  
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Washington, D.C. 20231

on 3/24/03 by Daniel J. Stanger

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